

Applicant: Michael Madden
Serial No. 10/657,919

IN THE INFORMATION DISCLOSURE STATEMENT

Kindly amend the serial number appearing on the Information Disclosure Statement from "09/885,306" to "10/657,919".

IN THE PRELIMINARY AMENDMENT FILED SEPTEMBER 9, 2003

Kindly amend the header appearing on pages 1 and 2 of the Preliminary Amendment filed on September 9, 2003 from: "09/885,306" to "10/657,919"

TERMINAL DISCLAIMER

Kindly amend the application by entering the Terminal Disclaimer filed herewith.

REMARKS

Applicant acknowledges and appreciates the Examiner's effort in conducting a comprehensive examination as reported in the Office Action dated July 28, 2004, to which this amendment is responsive. Applicant further notes that the drawings have been accepted by the Examiner.

Claims 6 and 7 remain pending. No amendments to the claims have been made. No new matter has been added. Reconsideration is respectfully requested.

Applicant has addressed the informalities relating to the serial number of the parent case appearing in the I.D.S. and Preliminary Amendment thereby overcoming those objections.


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Claims 6 and 7 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 4 of U.S. Patent No. 6,615,555. The Examiner acknowledges, and Applicant agrees, that the conflicting claims are not identical. More particularly, the claims differ in that the currently pending claims do not include certain dimensional limitations found in claims 1 and 4 of the cited '555 patent. Nevertheless, the Examiner states that the claims are not patentably distinct. Responsive thereto Applicant is filing herewith a Terminal Disclaimer, along with the appropriate fee, to obviate the double patenting rejection. Applicant requests that the Terminal Disclaimer be entered. In view of the foregoing, Applicant submits that the case is in immediate condition for allowance, and respectfully requests prompt and favorable action.

Should the Examiner have any questions, comments, or concerns, the undersigned would appreciate a telephone conference in order to expedite this case.

Respectfully submitted,

Date: 10/28/2004



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